

Bnoderick, V.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE METHYL TERTIARY BUTYL ETHER
("MTBE") PRODUCTS LIABILITY
LITIGATION**

This document relates to:

*Commonwealth of Puerto Rico, et al, v. Shell Oil
Co., et al.*, Case No. 07-cv-10470

Master File No. 1:00-1898
MDL 1358 (VSB)

STIPULATION & PROPOSED ORDER PURSUANT TO JPML RULE 10.4(a)

WHEREAS, on March 18, 2016 the Judicial Panel on Multidistrict Litigation ("JPML") entered a Conditional Remand Order, which became final on March 28, 2016, remanding certain sites in the Action to the District of Puerto Rico for trial;

WHEREAS, pursuant to Rule 10.4(a) of the Rules of the JPML, the parties are to furnish to the transferee district clerk a stipulation or designation of the contents of the record or part thereof to be remanded;

NOW THEREFORE, IT IS STIPULATED AND AGREED AS FOLLOWS:

1. The parties request that the documents listed on Attachment A, which were previously submitted to the MDL Court but not docketed, be added to the docket for Case No. 07-cv-10470. Such documents will be promptly filed by the parties via ECF upon entry of this Order; and

2. The parties further request that, after such addition, the entirety of the docket for Case No. 07-cv-10470, with the exception of the documents listed on Attachment B, be remanded to the United States District Court for District of Puerto Rico; and

3. The parties further request that the documents listed on Attachment C, which are contained on the MDL 1358 Master Docket, Case No. 00-cv-1898, also be remanded to the United States District Court for District of Puerto Rico.

AGREED TO BY:

By: Michael Axline
Michael Axline, Esq.
Counsel for Plaintiffs

By: James A. Pardo
James A. Pardo, Esq.
Liaison Counsel for Defendants

Dated: July 28, 2016

Dated: August 2, 2016

SO ORDERED:

Vernon Broderick
HON. VERNON S. BRODERICK ^{5/2/2017}
UNITED STATES DISTRICT JUDGE

ATTACHMENT A

Documents to be added to the docket for Case No. 07-cv-10470:

DOCUMENT DATE	DESCRIPTION
03/25/2009	Defendants' Pre-Conference Letter
03/30/2009	Defendants' Reply Letter
10/23/2009	Plaintiffs' Pre-Conference Letter
10/26/2009	Plaintiffs' Reply Letter
12/31/2009	Plaintiffs' Pre-Conference Letter
12/31/2009	Defendants' Pre-Conference Letter
01/04/2010	Plaintiffs' Reply Letter
01/04/2010	Defendants' Reply Letter
02/23/2010	Plaintiffs' Pre-Conference Letter
02/23/2010	Defendants' Pre-Conference Letter
02/25/2010	Defendants' Reply Letter
04/07/2010	Plaintiffs' Pre-Conference Letter
04/07/2010	Defendants' Pre-Conference Letter
04/09/2010	Plaintiffs' Reply Letter
04/09/2010	Defendants' Reply Letter
05/14/2010	Plaintiffs' Reply Letter
05/14/2010	Defendants' Reply Letter
11/09/2010	Plaintiffs' Pre-Conference Letter
11/09/2010	Defendants' Pre-Conference Letter
11/18/2010	Plaintiffs' Reply Letter
11/18/2010	Defendants' Reply Letter
03/22/2011	Defendants' Pre-Conference Letter
03/25/2011	Plaintiffs' Reply Letter
01/12/2012	Defendants' Pre-Conference Letter
01/17/2012	Plaintiffs' Reply Letter
02/16/2012	Defendants' Pre-Conference Letter
02/21/2012	Plaintiffs' Reply Letter
02/21/2012	Defendants' Reply Letter
03/22/2012	Defendants' Pre-Conference Letter
03/27/2012	Plaintiffs' Reply Letter
05/30/2012	Plaintiffs' Pre-Conference Letter
06/04/2012	Defendants' Reply Letter
07/03/2012	Plaintiffs' Pre-Conference Letter
07/03/2012	Defendants' Pre-Conference Letter
07/09/2012	Plaintiffs' Reply Letter
07/09/2012	Defendants' Reply Letter
08/08/2012	Plaintiffs' Pre-Conference Letter
10/12/2012	Plaintiffs' Pre-Conference Letter
10/17/2012	Defendants' Reply Letter
11/27/2012	Plaintiffs' Pre-Conference Letter
11/27/2012	Defendants' Pre-Conference Letter
11/30/2012	Plaintiffs' Reply Letter

ATTACHMENT A

11/30/2012	Defendants' Reply Letter
02/15/2013	Plaintiffs' Pre-Conference Letter
02/20/2013	Plaintiffs' Reply Letter
04/02/2013	Plaintiffs' Pre-Conference Letter
04/02/2013	Defendants' Pre-Conference Letter
04/05/2013	Plaintiffs' Reply Letter
04/05/2013	Defendants' Reply Letter
06/03/2013	Plaintiffs' Pre-Conference Letter
06/03/2013	Defendants' Pre-Conference Letter
06/06/2013	Plaintiffs' Reply Letter
06/06/2013	Defendants' Reply Letter
07/09/2013	Plaintiffs' Pre-Conference Letter
07/09/2013	Defendants' Pre-Conference Letter
07/12/2013	Plaintiffs' Reply Letter
07/12/2013	Defendants' Reply Letter
08/30/2013	Plaintiffs' Pre-Conference Letter
09/04/2013	Plaintiffs' Reply Letter
10/10/2013	Plaintiffs' Reply Letter
11/08/2013	Plaintiffs' Pre-Conference Letter
11/13/2013	Plaintiffs' Reply Letter
01/06/2014	Plaintiffs' Pre-Conference Letter
03/11/2014	Plaintiffs' Pre-Conference Letter
03/14/2014	Plaintiffs' Reply Letter
05/05/2014	Plaintiffs' Pre-Conference Letter
07/10/2014	Plaintiffs' Reply Letter
08/06/2014	Plaintiffs' Pre-Conference Letter
08/11/2014	Plaintiffs' Reply Letter
09/22/2014	Plaintiffs' Pre-Conference Letter
09/25/2014	Plaintiffs' Reply Letter
01/07/2015	Plaintiffs' Pre-Conference Letter
01/12/2015	Plaintiffs Reply Letter
04/16/2015	Plaintiffs' Pre-Conference Letter
04/21/2015	Plaintiffs' Reply Letter
07/20/2015	Plaintiffs' Pre-Conference Letter

ATTACHMENT B

Documents to be **EXCLUDED** from remand of Case No. 07-cv-10470 file:

DOCUMENT DATE	DOCKET NUMBER	DESCRIPTION
03/24/2008	2	Order Admitting Pro Hac Vice
03/27/2008	3	Order Admitting Pro Hac Vice
04/25/2008	9	Motion to Appear Pro Hac Vice
04/25/2008	10	Motion to Appear Pro Hac Vice
08/25/2008	19	Order Admitting Pro Hac Vice
08/25/2008	20	Order Admitting Pro Hac Vice
09/12/2008	24	Order Admitting Pro Hac Vice
09/22/2008	26	Order Admitting Pro Hac Vice
10/07/2008	28	Order Admitting Pro Hac Vice
10/15/2008	31	Order for Withdrawal of Counsel
10/30/2008	33	Order to Correct Case Management Order
11/10/2008	35	Order for Withdrawal of Counsel
11/10/2008	36	Order Admitting Pro Hac Vice
11/10/2008	37	Order Granting Substitution of Counsel
11/19/2008	38	Order on Deadlines
11/26/2008	39	Order to Clerk of Court
12/02/2008	43	Order Admitting Pro Hac Vice
12/02/2008	44	Order Admitting Pro Hac Vice
01/09/2009	47	Suggestion of Bankruptcy
01/13/2009	48	Case Management Plan for <i>City of New York</i> (misfiled)
01/23/2009	49	Amended Answer
02/19/2009	50	Order Admitting Pro Hac Vice
02/20/2009	51	Notice of Appearance
02/23/2009	52	Case Management Plan for <i>City of New York</i> (misfiled)
02/25/2009	53	Order Admitting Pro Hac Vice
03/06/2009	54	Order to Close Motions
03/10/2009	55	Order Admitting Pro Hac Vice
03/10/2009	56	Order Admitting Pro Hac Vice
03/12/2009	57	Order of Dismissal
03/16/2009	58	Order Admitting Pro Hac Vice
03/20/2009	61	Order to Close Motions
04/02/2009	62	Order Admitting Pro Hac Vice
04/17/2009	63	Case Management Plan for <i>New Jersey</i> (misfiled)
04/27/2009	64	Order Admitting Pro Hac Vice
04/27/2009	65	Order Admitting Pro Hac Vice
04/27/2009	66	Order Admitting Pro Hac Vice
04/27/2009	71	Order of Dismissal
07/10/2009	77	Order Appointing Special Master

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DOCUMENT DATE	DOCKET NUMBER	DESCRIPTION
07/27/2009	78	Notice of Withdrawal of Counsel
09/25/2009	79	Order Admitting Pro Hac Vice
10/01/2009	80	Order Admitting Pro Hac Vice
10/23/2009	81	Order Admitting Pro Hac Vice
03/24/2010	85	Order Admitting Pro Hac Vice
04/13/2010	86	Notice of Withdrawal of Counsel
05/26/2010	88	Order Admitting Pro Hac Vice
05/27/2010	89	Notice of Withdrawal of Counsel
07/30/2010	93	Order Admitting Pro Hac Vice
10/19/2010	94	Notice of Change of Address
10/19/2010	95	Notice of Change of Address
10/19/2010	96	Notice of Change of Address
10/20/2010	97	Notice of Change of Address
12/20/2010	102	Order Admitting Pro Hac Vice
01/03/2011	103	Order Granting Substitution of Counsel
01/03/2011	104	Order Granting Substitution of Counsel
01/18/2011	105	Order Admitting Pro Hac Vice
01/18/2011	106	Order Admitting Pro Hac Vice
01/21/2011	107	Order Admitting Pro Hac Vice
02/01/2011	110	Order Admitting Pro Hac Vice
02/09/2011	111	Order Admitting Pro Hac Vice
02/09/2011	112	Order Admitting Pro Hac Vice
02/09/2011	113	Order Admitting Pro Hac Vice
02/15/2011	114	Order Admitting Pro Hac Vice
02/17/2011	115	Order Admitting Pro Hac Vice
02/16/2011	116	Order Admitting Pro Hac Vice
02/18/2011	117	Case Management Plan for <i>Crescenta Valley</i> (misfiled)
02/23/2011	118	Order Admitting Pro Hac Vice
05/04/2011	122	Order Admitting Pro Hac Vice
05/16/2011	124	Order Admitting Pro Hac Vice
05/16/2011	125	Order Admitting Pro Hac Vice
05/16/2011	126	Order Admitting Pro Hac Vice
05/20/2011	127	Order for Withdrawal of Counsel
06/02/2011	129	Order for Withdrawal of Counsel
06/06/2011	130	Order for Withdrawal of Counsel
06/23/2011	131	Order Admitting Pro Hac Vice
08/05/2011	132	Motion to Appear Pro Hac Vice
08/09/2011	133	Motion to Appear Pro Hac Vice
08/09/2011	134	Motion to Appear Pro Hac Vice

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DOCUMENT DATE	DOCKET NUMBER	DESCRIPTION
08/09/2011	135	Motion to Appear Pro Hac Vice
08/17/2011	137	Order for Withdrawal of Counsel
08/22/2011	138	Order Admitting Pro Hac Vice
09/20/2011	140	Notice of Filing of Transcript
10/18/2011	141	Order for Withdrawal of Counsel
11/14/2011	143	Notice of Filing of Transcript
12/13/2011	146	Notice of Filing of Transcript
01/04/2012	147	Order Admitting Pro Hac Vice
01/04/2012	148	Order for Withdrawal of Counsel
02/17/2012	150	Notice of Filing of Transcript
02/16/2012	151	Order Admitting Pro Hac Vice
02/16/2012	152	Order Admitting Pro Hac Vice
03/05/2012	156	Notice of Filing of Transcript
04/26/2012	158	Notice of Filing of Transcript
04/30/2012	159	Order for Withdrawal of Counsel
05/08/2012	161	Notice of Filing of Transcript
08/10/2012	165	Notice of Filing of Transcript
11/26/2012	171	Notice of Filing of Transcript
11/30/2012	173	Order Admitting Pro Hac Vice
01/28/2013	176	Order for Withdrawal of Counsel
01/25/2013	177	Order Admitting Pro Hac Vice
02/15/2013	179	Notice of Appearance
02/15/2013	180	Notice of Appearance
02/15/2013	181	Notice of Appearance
02/22/2013	182	Order Admitting Pro Hac Vice
03/07/2013	187	Filing Error Notice
03/07/2013	188	Corporate Disclosure
03/12/2013	189	Stipulation & Order
03/13/2013	190	Order Admitting Pro Hac Vice
03/19/2013	191	Order Admitting Pro Hac Vice
03/20/2013	192	Order Admitting Pro Hac Vice
03/21/2013	196	Stipulation & Order
03/22/2013	197	Stipulation & Order
03/26/2013	198	Notice of Appearance
04/11/2013	204	Stipulation & Order
04/15/2013	211	Corporate Disclosure
04/15/2013	212	Defendant Trafigura Answer
04/17/2013	217	Filing Error Notice
04/17/2013	220	Defendant Trafigura Answer

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DOCUMENT DATE	DOCKET NUMBER	DESCRIPTION
04/17/2013	221	Corporate Disclosure
04/22/2013	230	Order on Briefing Schedule
04/23/2013	237	Notice of Appearance
04/23/2013	238	Discovery
04/24/2013	239	Order on Briefing Schedule
04/24/2013	240	Notice of Appearance
04/26/2013	241	Filing Error Notice
04/29/2013	242	Notice of Appearance
04/29/2013	244	Notice of Appearance
04/29/2013	245	Notice of Appearance
04/29/2013	246	Notice of Appearance
05/01/2013	247	Order on Briefing Schedule
05/07/2013	249	Order Admitting Pro Hac Vice
05/13/2013	259	Filing Error Notice
05/15/2013	264	Order Admitting Pro Hac Vice
05/16/2013	265	Order for Withdrawal of Counsel
05/23/2013	268	Order on Briefing Schedule
06/03/2013	282	Order Admitting Pro Hac Vice
06/06/2013	288	Order Admitting Pro Hac Vice
06/14/2013	292	Order Striking Documents from Record
06/24/2013	296	Order Admitting Pro Hac Vice
06/25/2013	297	Order Admitting Pro Hac Vice
07/15/2013	303	Filing Error Notice
07/15/2013	304	Filing Error Notice
07/17/2013	312	Order Admitting Pro Hac Vice
07/23/2013	313	Order Admitting Pro Hac Vice
07/23/2013	314	Order Admitting Pro Hac Vice
07/26/2013	315	Order Admitting Pro Hac Vice
07/30/2013	316	Notice of Motion for Reconsideration
07/30/2013	317	Filing Error Notice
07/31/2013	318	Filing Error Notice
07/31/2013	320	Filing Error Notice
08/23/2013	323	Order Admitting Pro Hac Vice
10/07/2013	330	Order Admitting Pro Hac Vice
10/17/2013	331	Order
11/14/2013	348	Filing Error Notice
11/25/2013	354	Order Admitting Pro Hac Vice
12/17/2013	356	Order Admitting Pro Hac Vice
01/22/2014	359	Notice of Filing of Transcript

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DOCUMENT DATE	DOCKET NUMBER	DESCRIPTION
01/30/2014	360	Notice of Referral to Judge for Approval
01/30/2014	361	Trafigura Defendant Motion Papers
03/03/2014	364	Tauber Defendant Motion Papers
03/03/2014	365	Tauber Defendant Motion Papers
03/03/2014	366	Tauber Defendant Motion Papers
03/03/2014	367	Tauber Defendant Motion Papers
03/03/2014	368	Tauber Defendant Motion Papers
03/12/2014	370	Order on Briefing Schedule
03/18/2014	374	Filing Error Notice
03/25/2014	379	Tauber Defendant Motion Papers
03/25/2013	380	Tauber Defendant Motion Papers
03/25/2013	381	Tauber Defendant Motion Papers
04/10/2014	386	Notice of Filing of Transcript
04/10/2014	388	Notice of Filing of Transcript
04/23/2014	390	Notice of Change of Firm Name
05/09/2014	400	Notice of Filing of Transcript
06/10/2014	410	Notice of Filing of Transcript
06/18/2014	412	Notice of Filing of Transcript
07/01/2014	426	Notice of Motion
07/01/2014	427	Notice of Motion Filing Error Notice
07/11/2014	433	Order Admitting Pro Hac Vice
07/22/2014	435	Notice of Appearance
07/23/2014	443	Notice of Filing of Transcript
08/22/2014	447	Motion for Withdrawal of Counsel
08/27/2014	448	Order for Withdrawal of Counsel
09/02/2014	452	Notice of Filing of Transcript
09/05/2014	454	Order for Withdrawal of Counsel
09/19/2014	458	Notice of Change of Address
09/22/2014	459	Notice of Change of Address
09/22/2014	460	Notice of Change of Address
09/26/2014	488	Filing Error Notice
09/29/2014	499	Filing Error Notice
09/29/2014	501	Filing Error Notice
09/29/2014	502	Filing Error Notice
09/29/2014	503	Filing Error Notice
09/29/2014	504	Filing Error Notice
10/17/2014	509	Notice of Filing of Transcript
10/30/2014	512	Order
11/08/2014	538	Declaration

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DOCUMENT DATE	DOCKET NUMBER	DESCRIPTION
11/25/2014	542	Filing Error Notice
11/26/2014	543	Filing Error Notice
12/08/2014	572	Order on Briefing Schedule
01/16/2015	585	Lyondell Defendant Motion for Voluntary Dismissal
02/02/2015	587	Notice of Change of Firm Name
03/19/2015	592	Order on Voluntary Dismissal
03/25/2015	593	Motion for Withdrawal of Counsel
04/09/2015	594	Order for Withdrawal of Counsel
05/14/2015	596	Order for Withdrawal of Counsel
10/05/2015	638	Notice of Change of Address
11/02/2015	647	Notice of Appearance
11/02/2015	648	Notice of Appearance
11/02/2015	649	Notice of Appearance
11/18/2015	652	Tauber Defendant Motion Papers
11/18/2015	653	Tauber Defendant Motion Papers
12/03/2015	654	Tauber Defendant Motion Papers
12/03/2015	657	Order for Withdrawal of Counsel
12/07/2015	659	Filing Error Notice
12/11/2015	664	Filing Error Notice
12/31/2015	673	Order on Tauber Motion
01/04/2016	674	Tauber 54(b) Judgment
01/05/2016	675	Tauber 54(b) Judgment
01/13/2016	676	Order on Briefing Schedule
01/19/2016	681	Filing Error Notice
02/02/2016	687	Notice of Appeal
02/01/2016	692	Order for Withdrawal of Counsel
02/23/2016	693	Order Admitting Pro Hac Vice
02/29/2016	694	Motion for Voluntary Dismissal
03/14/2016	698	Order for Withdrawal of Counsel
03/18/2016	699	Order Admitting Pro Hac Vice

ATTACHMENT C

Documents on MDL 1358, Case No. 00-cv-1898 docket to be included in remand record:

DOCUMENT DATE	DOCKET NUMBER	DESCRIPTION
12/15/2009	2916	Letter to Court
12/15/2009	2918	Letter to Court
11/18/2011	3471	Letter to Court
11/18/2011	3472	Letter to Court
05/01/2012	3538	Letter to Court
05/01/2012	3539	Letter to Court
05/01/2012	3540	Letter to Court
05/01/2012	3541	Letter to Court
09/03/2013	3790	Letter to Court
09/06/2013	3791	Letter to Court
10/09/2013	3819	Letter to Court
10/15/2013	3822	Letter to Court
10/15/2013	3823	Letter to Court
10/21/2013	3834	Letter to Court
11/12/2013	3849	Letter to Court
11/14/2013	3851	Letter to Court
03/12/2014	3942	Letter to Court
03/17/2014	3949	Letter to Court
05/06/2014	3984	Letter to Court
05/09/2014	3985	Letter to Court
06/03/2014	3991	Letter to Court
06/05/2014	3994	Letter to Court
08/06/2014	4058	Letter to Court
08/11/2014	4066	Letter to Court
09/23/2014	4092	Letter to Court
09/25/2014	4094	Letter to Court
01/08/2015	4160	Letter to Court
01/13/2015	4161	Letter to Court
04/17/2015	4198	Letter to Court
04/22/2015	4202	Letter to Court
06/11/2015	4219	Letter to Court
06/16/2015	4222	Letter to Court
08/13/2015	4249	Letter to Court
08/18/2015	4250	Letter to Court
10/29/2015	4281	Letter to Court
02/08/2016	4375	Letter to Court
02/11/2016	4376	Letter to Court
02/29/2016	4382	Letter to Court
03/22/2016	4400	Letter to Court
03/24/2016	4401	Letter to Court
04/18/2016	4419	Letter to Court

ATTACHMENT C

DOCUMENT DATE	DOCKET NUMBER	DESCRIPTION
04/21/2016	4420	Letter to Court
04/26/2016	4421	Letter to Court
04/26/2016	4422	Letter to Court
04/26/2016	4423	Letter to Court
04/26/2016	4424	Letter to Court